REMARKS

Applicants request reconsideration of the application in view of the present Amendment.

Concerning the rejections under 35 USC §102(e), Applicants respectfully submit that U.S. Patent No. 6,426,226 to Senkan is not prior art under §102(e). As explained in the USPTO Examination Guidelines for 35 USC §102(e), Significant Provisions at paragraph D, "No international filing dates prior to November 29, 2000 may be relied upon as a prior art date under §102(e) in accordance with the last sentence of the effective date provisions." As further explained under paragraph F, international applications which were filed prior to November 29, 2000 may not be used to reach back to an earlier filing date through a priority or benefit claim for prior art purposes under 35 USC §102(e). A copy of the Examination Guidelines is submitted with an Information Disclosure Statement that accompanies this Amendment. Accordingly, the earliest U.S. filing date available to the Senkan '226 patent under 35 USC §102(e) is the actual U.S. filing date of October 27, 2000, which is later than the filing date to which the present application claims priority under 35 USC §119.

Further regarding the Senkan '226 patent, the PCT application to which Senkan claims priority under 35 USC §120 was published on May 25, 2000, which also is later than the filing date to which the present application claims priority under 35 USC §119. A copy of the front page of the published PCT application also is submitted with the Information Disclosure Statement that accompanies this Amendment.

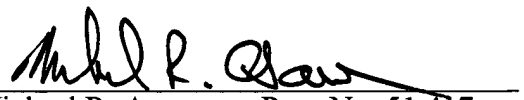
Applicants respectfully request withdrawal of the rejections based on the Senkan '226 patent.

Concerning the rejections under 35 USC §103, Applicants respectfully submit that each of new claims 39-76 recites subject matter that would not have been made obvious by the prior art.

Specifically, it would not have been obvious to modify the multi-sample, single sensor library testing method of Willson in view of the single sample, multi-sensor instrument disclosed by Fawcett. This is because Fawcett's multi-sensor instrument can function only with separate individual samples, i.e., not a whole library. If presented with these two references, a person of ordinary skill in the art would see that Fawcett's single sample, multi-sensor instrument negates the high-throughput advantage gained by the simultaneous multi-sample, single sensor library testing method of Willson, and would find no suggestion or motivation to abandon that advantage. Without knowledge of multi-sample, multi-sensor library testing, which is not taught by either of these two references, a person of ordinary skill in the art would take the references at face value and find them to be incompatible. Only hindsight gained from the present application could lead one to identify and isolate the concept of multi-sensor testing from Fawcett's actual practice of single sample, multi-sensor testing, and to apply that newly isolated concept of Fawcett to the multi-sample, but single sensor, testing practice of Willson. Each of new claims 39-76 is directed to multi-sample, multi-sensor library testing, and the invention defined as a whole in each of those claims is distinct from the combined teachings of Willson and Fawcett under 35 USC §103.

In view of the foregoing remarks, Applicants respectfully submit that the application is in condition for allowance, and allowance is respectfully requested.

Respectfully submitted,



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